

PUBLIC RECORD

ORIGINAL

FILED

SEP 18 2003

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NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

SAMUEL EVENSTEIN, D.C.
License No. MC 4561

CONSENT ORDER

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information which the Board has reviewed and the parties wishing to resolve this matter without further formal proceedings, hereby stipulate to the following facts and conclusion of law.

FINDINGS OF FACT

1. Respondent is a chiropractic physician in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Contrary to the provisions of N.J.S.A. 54:52-9, Respondent did fail to pay and turn over gross income taxes due and owing to the State of New Jersey, with the intent to evade, avoid or otherwise not make timely payment of the tax required to be paid pursuant to N.J.S.A. 54A:8-1 et seq. for the calendar years ending: December 31, 1997, December 31, 1998, and December 31, 1999.

3. On January 24, 2003, an order was entered by the Superior Court of New Jersey, Division of Law - Criminal, in the County of Morris, State of New Jersey, postponing further proceedings against Respondent until January 24, 2005, pursuant to Rule 3:28(c)(2), Pre-trial Intervention Programs, subject to the following conditions: 24 months supervision; 50 hours community service; \$71, 748.70 restitution to the State of New Jersey, Department of the Treasury; and applicable fees totaling \$200.

CONCLUSIONS OF LAW

1. The aforesaid facts provide grounds for the suspension of Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A 45:1-21(f), in that Respondent has engaged in acts constituting a crime or offense involving moral turpitude and relating adversely to the practice of chiropractic.

ACCORDINGLY, IT IS on this 18th day of September, 2003,

ORDERED AND AGREED that:

1. Respondent's license to practice chiropractic in the State of New Jersey shall be, and hereby is, suspended for a period of three (3) years; except that the first six (6) months shall be an active suspension and the final thirty (30) months of said suspension shall be stayed, and become a period of probation. Such stayed period of suspension shall be activated upon a showing of Respondent's non-compliance with any of the terms and conditions set forth herein.

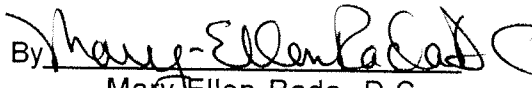
2. During the period of active suspension, Respondent shall not practice chiropractic and shall successfully complete and pass the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME

(Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903. Documentation of the full and successful completion of the course shall be provided to the Board.


3. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board (or a committee thereof) to demonstrate fitness to resume practice. Any practice in this State prior to formal reinstatement of license by the Board shall constitute grounds for a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

4. Failure to comply with any provisions of this Order may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

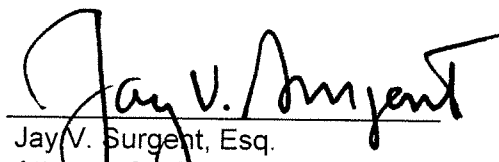
NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By 
Mary-ellen Rada, D.C.
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Samuel Evenstein, D.C.

This order is hereby agreed to as to its form and entry.


Jay V. Sargent, Esq.
Attorney for Samuel Evenstein, D.C.